

The State Board of Education/State Board for Vocational Education held its regular meeting on Thursday, January 19, 2012 in the Cabinet Room of the John G. Townsend Building, Dover, Delaware.

Present were: Dr. Teri Quinn Gray, President; Jorge L. Melendez, Vice President; Gregory B. Coverdale, Jr., G. Patrick Heffernan, Barbara B. Rutt, Dr. Terry M. Whittaker, Dr. James L. Wilson and Dr. Lillian Lowery, Executive Secretary and Secretary of Education. Donna R. Johnson, who serves as the State Board's Executive Director was also present.

Also in attendance were Catherine Hickey, Deputy Attorney General and legal counsel for the State Board of Education; Dan Cruce, Deputy Secretary of Education/Chief of Staff; Dr. Linda Rogers, Associate Secretary for Teaching and Learning; and Karen Field Rogers, Associate Secretary for Financial Reform and Resource Management.

Attending portions of the meeting in conjunction with agenda items: Charles Michels, Professional Standards Board (PSB); Paula Fontello, Deputy Attorney General; Dr. Susan Haberstroh, Marian Wolak, Gregory Fulkerson, Michelle Cosner, College Board; Mary Fry, College Board; Sarah Celestin, Diane Donohue, Mary Ann Mieczkowski, Jim Lesko, John Carwell and Alison Kepner.

Also attending: John Hindman, Deputy Attorney General; Melissa Brown, Innovative Schools; Melissa Hopkins, Rodel Foundation; G. Scott Reihm, Delaware Association of State Administrators (DASA); Melissa Hopkins, Rodel Foundation; Bree Smith, Wilmington University; Rene Rivera, Wilmington University; Jamie Bissett, Delaware State News and Stan Semones, Texas Instruments.

Call to Order

President Gray presided over the monthly meeting and called the January 19, 2012 meeting of the State Board of Education/State Board for Vocational Education to order at 9:01 a.m. She welcomed all guests to the State Board's public meeting.

Approval of the Agenda

Dr. Gray stated that the first item on the agenda was the approval of the agenda. She indicated that the addendum contained two items under Appeals and Reviews. The addendum included a revision to an agenda item changing it from “information” to “action” and an additional action item. It was also noted that the presentation of the Early Learning Challenge Grant would be moved from Other Action Items and would be presented with the Department of Education presentations. A motion was made by Dr. Whittaker to approve the agenda as amended. The motion was seconded by Mrs. Rutt and carried with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Mrs. Rutt	
Dr. Whittaker	
Dr. Wilson	

Approval of Minutes

It was announced that the Board members received the minutes from the regular meeting of December 15, 2011. Dr. Gray asked if there were any additions or revisions to the regular meeting minutes.

A motion was made by Dr. Wilson to approve the minutes of the regular meeting of December 15, 2011 as distributed. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Mrs. Rutt	
Dr. Whittaker	
Dr. Wilson	

Formal Public Comment

It was indicated that this was the time the Board set aside for formal public comment. Dr. Gray announced that no individuals signed up to address the State Board.

Committee Reports

Mr. Melendez reported on PNC's donation to the Laurel School District by providing cases of paper for use by the schools. He encouraged districts to reach out to area businesses in their communities for assistance with their needs.

Mrs. Rutt attended the Delaware Schools Boards Association (DSBA) Board meeting representing the State Board of Education. DSBA adopted its goals and objectives for the year at the meeting.

Dr. Wilson attended the State Board's meeting with local board members and charter board members after the Board's December meeting.

Mr. Coverdale attended the Department sponsored town hall meeting on ESEA Flexibility in Wilmington. Dr. Gray commented she also attended the meeting and the session in Kent County. Dr. Gray indicated she would travel to Sussex County after the meeting for the town hall session in Georgetown.

Mr. Heffernan explained that due to a previous commitment he needed to be excused prior to lunch but wished to make a statement. Mr. Heffernan's remarks follow:

In January of 2010, two years ago this month, the Board consented to the recommendation from the Secretary to renew the charter for East Side. Given the anniversary, it is a good time to remind ourselves of the details.

These were among the conditions the Secretary placed on East Side Charter as part of their renewal:

Condition #13: By April 15, 2010, the Charter shall enter into a performance agreement with the Department of Education, in a form satisfactory to the Department, specifically requiring the Charter meet its student achievement requirement in the fiscal year 2010-2011.

Condition # 14: Failure to comply with any condition of renewal or with the terms of the performance agreement or with any condition imposed in any subsequent modification of the charter shall result

in the immediate placement of the charter on formal review to begin the charter revocation process.

The Board has yet to get a formal status on these conditions placed the East Side.

First, I want to say it is critical to the integrity of this Board and to our proceedings that formal decisions on Action Items made at these meetings be respected.

This Board shares accountability for all student achievement state-wide but we have the most direct accountability and responsibility for charter school students because of our role in the charter approval process. We owe it to the students, and the public at large, to take this responsibility seriously and to follow through on what we promise.

The law says we renew Charter Schools for 5 years at time. Revoking a Charter short of that requires extraordinary circumstances. However, we can't continue to ignore schools until the next five year approval is due. We can no longer ignore the systemic failure of Delaware charter schools to meet their targets for student achievement.

East Side is of particular concern because of the school's long history of failing to meet its commitments for student academic achievement. The students at East Side have the full support of this Board, the Governor, and through him the support of the Secretary and the Department of Education. East Side has the backing of extremely generous donors who have provided absolutely every resource the school has said it needed. There are plenty of successful high poverty schools in other states that have neither of these guardian angels. East Side is in the enviable position of having both, yet the students continue to struggle. We need to help them figure out why.

We owe it to the students at East Side to use the resources we committed two years ago. We need to determine if East Side has met their performance targets and if they have not, the school must be placed on formal review as a way to identify and correct their short comings. We can't continue to sit quietly on the sidelines while a school fails to meet its commitments and the students continue to suffer. That is not fair to the students or to the parents. This Board shares accountability for the success or failure of the students at East Side.

To be fair, we can't just single out East Side. There are far too many other charter schools that are not meeting their requirements for student achievement. We must formally and officially put each and every one of those schools on notice that have not met these requirements. By turning a blind eye to failed academic performance, this Board is giving tacit approval to these failures. In fact, some people believe we can't hold poor student achievement against schools at renewal time if we never brought it up during the term of the charter. We must break that cycle now and put poorly performing schools on notice.

We are entering yet another season of charter approvals and renewals with no systematic and consistent process for dealing with schools failing to meet their commitments to students regarding academic performance. We could blame this lack of process on the Department or on rule-by-committee approach we've taken. The truth is, this Board shares the blame. We know that all the other entities involved are tied to status quo and to various political pressures. The "system" is perfectly comfortable with the status quo – that is why it is the status quo. It simply will not change on its own. We are the independent, citizen board intentionally put into the process to cut through all that other junk. We need to do our job and bring everyone together, kicking and screaming if necessary, for the sake of the kids.

Dr. Gray noted that she appreciated Mr. Heffernan's comments on sharing the accountability for the success of charter schools. She noted that later in the meeting the Board would receive an update on the charter school performance framework. East Side is also scheduled to make a presentation to the State Board at its February meeting.

Ms. Johnson noted that her monthly activities report was distributed to the Board members but highlighted some of her activities. She attended several meetings on the charter performance framework in the last month and Department meetings on the ESEA Flexibility proposal. Ms. Johnson attended the joint education committee meeting and has completed the second draft of the State Board's strategic plans based on revisions from the Board's retreat.

Dr. Gray asked that Board members review the latest draft of the strategic plan and provide feedback to Ms. Johnson. It is hoped to have the strategic plan finalized in February. Dr. Gray also provided her report and in addition to the ESEA meetings

mentioned earlier, she attended the State Chamber of Commerce Dinner and the P-20 Council meeting.

Common Core Standards Update

Marian Wolak, Director of Curriculum, Instruction and Professional Development in the Teaching and Learning Branch provided an update on the implementation of the Race to the Top delivery plan associated with the Common Core Standards in English Language Arts (ELA) and Math. The Common Core Standards were adopted by the State Board in August of 2010. Ms. Wolak noted the alignment of the Common Core Standards to the State Standards in K-12 English/Language Arts and Mathematics and spoke of the transition plan for full implementation of Common Core Standards. A timeline related to DCAS and End-of-Course alignment and integration was touched on and it was indicated that professional development plans are a central focus for the effective implementation of the Common Core Standards for administrators, teachers, and parents. .

The Board was presented with the aspects of the Component One and Component Two training and the exemplar lesson development for K-12 ELA and Math. Professional development learning modules are being provided to the districts through the Reading and Math Cadre memberships.

Secretary Lowery commented that in her meetings with other Race to the Top states, Delaware is doing a great job with alignment to the Common Core Standards but other states are doing a better job with their training. She noted that Delaware need to make sure that the message by all trainers is consistent. Common Core Standards need to be connected to instruction and achievement and then it becomes part of the evaluation. In the end, we have students that are career and college ready.

There was discussion among the State Board members on monitoring the effectiveness of the training for Common Core Standards and the inclusion of charter schools. Ms. Wolak explained that the Charter School Office is providing technical assistance to the charter schools. The instructional practices show what Common Core instruction should look like and the professional development modules are an important piece of that. It was also noted that the State PTA provided training for parents on the

Common Core Standards. The PTA received a grant from the Gates Foundation for that training.

AP Data Presentation

The Board was presented with Advanced Placement (AP) data for the 2010-11 school year. Michelle Cosner and Mary Fry from the College Board provided background information on the College Board including their mission to connect students to college success and opportunity. National trend data on the growth of advanced placement courses and its impact on college graduation rates were presented. Delaware data showed that 49% of the Delaware public school exams taken scored a 3+ compared to 56% for the nation's public schools. The increases in access and equity for Delaware students were noted but more needs to be done to make AP courses inviting for all students. There was discussion on some of the barriers that may prevent students for enrolling into AP courses.

Dr. Lowery reminded the State Board that AP offerings and enrollment requirements is a local policy and varies by district. Ms. Cosner agreed and stated that students enrolled in AP courses need to be motivated and receive support.

Dr. Gregory Fulkerson of the Teaching and Learning Branch provided data on the AP Summer Institute which provided rigorous training for teachers to understand the content of the AP courses and help them design successful learning opportunities for students, particularly those from underrepresented groups. The 2011 Summer Institutes concentrated on STEM, enhanced areas where Delaware students underperform than the nation and encouraging new AP courses. Data on the impact of the Summer Institute will be available in the spring.

The Board recessed for fifteen minutes at 10:42 a.m. Mr. Heffernan was excused at this time. The meet resumed at 10:59 a.m.

Science & Social Studies Grade Band Extensions

Mary Ann Mieczkowski, Director, and Sarah A. Celestin, Education Associate, Exceptional Children Resources, discussed the Grade Band Extensions (GBEs) that have been created to the Delaware Recommended Curriculum in Science and Social Studies. These extensions will help students with the most significant intellectual disabilities to

access the standards during classroom instruction and the state's alternate assessment, DCAS-Alt1. Dr. Celestin provided examples to the State Board noting that the Grade Band Extensions for English/Language Arts and Mathematics were approved last April. These extensions are utilized by approximately 1% of the student population or about 1,200 students with a wide range of abilities. Action on the proposed Grade Band Extensions will be presented at the State Board's February meeting.

ESEA Flexibility

Daniel Cruce, Deputy Secretary/Chief of Staff, updated the members of the State Board of Education on Delaware's ESEA Flexibility application. The final town hall meeting would be held that evening in Sussex County. Mr. Cruce noted that attendance at the New Castle County and Kent County site for the town hall meeting was a mixture of parents and teachers and administrators as well as members of the community. He indicated that the Department is listening to the comments and has made revisions to its plan. Dr. Susan Haberstroh and Joanne Reihm were present with Mr. Cruce for the presentation and he explained that they will be attending the U.S. Department of Education meeting next week to meet with states that were in the first round of the ESEA Waiver process. Dr. Lowery stated that ESEA Flexibility is similar to Race to the Top in that there needs to be buy in from the stakeholders and it needs to be communicated to the community.

Early Learning Challenge Grant Application

Dr. Jim J. Lesko, Director of Early Development and Learning Resources, in the Teaching and Learning Branch, presented a summary of the Race To The Top – Early Learning Challenge Grant. The grant is a targeted effort to support young children and prepare them for school. The grant is for \$49,878,774 over a period of four years and involved three state agencies: The Department of Health and Social Services, Department of Services for Children, Youth and Their Families and the Department of Education. Children with high needs will be focused as will high need communities. Dr. Lesko explained the four pillars approach of the grant which includes alignment with the K-12 system, high-quality early learning programs, birth to five whole child focus and

professional early childhood workforce. Dr. Lowery thanked Dr. Lesko for his role with the grant and noted that Dr. Lesko is nationally recognized in his field.

Secretary's Report, Review and Discussion

Secretary Lowery reminded the Board of the Governor's State of the State address that afternoon.

Department of Education Regulations

Dr. Susan Haberstroh presented the regulations that were on the Board's agenda.

Regulation 525 Requirements for Career and Technical Education Programs (For Action)

The Secretary of Education is seeking the consent of the State Board of Education to amend 14 DE Admin. Code 525 Requirements for Career and Technical Education (CTE) Programs. The amendments add the Health Occupations Students of America (HOSA) as a recognized student career and technical student organization and delete the ability for the local school district or charter school to have programs that are not based on the content standards of the state.

The student organizations provide hands on and practical experience and are helpful in improving student achievement as measured against the state achievement standards. The elimination of the local standard language reflects the development and existence of the state standards, national CTE standards, the national Career Technical Student Organizations (CTSO) standards and DPAS II component 5 elements.

A motion was made by Mrs. Rutt to approve the amendment to 14 Delaware Administrative Code 525 as presented by the Department. The motion was seconded by Mr. Melendez and carried with the following vote recorded:

Ayes:	Nays:	Not Present At Time of Vote:
Dr. Gray	None.	Mr. Heffernan
Mr. Melendez		
Mr. Coverdale		
Mrs. Rutt		
Dr. Whittaker		
Dr. Wilson		

The Board signed the appropriate Order.

The Board recessed for five minutes from 12:10 p.m. to 12:15 p.m.

Professional Standards Board

Charles Michels, Executive Director for the Professional Standards Board presented the PSB items on the agenda.

**Regulation 1598 Delaware Professional Development Standards
(For Publication)**

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1598 Delaware Professional Development Standards. This regulation sets forth the standards for Delaware educators' professional development. Delaware professional development standards would reflect Learning Forward's recently adopted professional learning standards.

A motion was made by Dr. Whittaker to approve the publication of proposed amended regulation 14 Delaware Administrative Code 1598 Delaware Professional Development Standards as presented. The motion was seconded by Mr. Melendez and carried with the following vote recorded:

Ayes:	Nays:	Not Present At Time of Vote:
Dr. Gray	None.	Mr. Heffernan
Mr. Melendez		
Mr. Coverdale		
Mrs. Rutt		
Dr. Whittaker		
Dr. Wilson		

**Regulation 1505 Standard Certificate
(For Action)**

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1505 Standard Certificate. The regulation concerns the requirements for certification of educational personnel, pursuant to 14 Del.C. §1220(a). Amendments include several additions to definitions and affording the

Department of Education the final approval of requisite coursework or professional development, as mandated for specific Standard Certificates or for individuals working toward their first Standard Certificate who have not graduated from an educator preparation program. Some reformatting was also done to allow for easier understanding. This regulation sets forth the general requirements for specific grade level, content area, specialist and administrative Standard Certificates. Comments were received from the Governor's Advisory Council for Exceptional Citizens.

A motion was made by Dr. Wilson to consent to amend regulation 14 Delaware Administrative Code 1505 Standard Services as presented. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:	Nays:	Not Present At Time of Vote:
Dr. Gray	None.	Mr. Heffernan
Mr. Melendez		
Mr. Coverdale		
Mrs. Rutt		
Dr. Whittaker		
Dr. Wilson		

The State Board signed the appropriate Order.

Regulation 1506 Emergency Certificate (For Action)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1506 Emergency Certificate. The regulation concerns the requirements for certification of educational personnel, pursuant to 14 Del.C. §1220(a) who have otherwise obtained employment or an offer of employment with an employing district and hold a valid Delaware Initial, Continuing, or Advanced License, but lack necessary skills and knowledge to immediately meet certification requirements in a specific content area. It is necessary to amend this regulation in order to reduce the period of time an Emergency Certificate is valid and to now require due diligence on the part of the individual to make progress toward the specific Standard Certificate for which the Emergency Certificate was issued in order to be eligible for a maximum of a one year

extension. This regulation sets forth the requirements for an Emergency Certificate. Mr. Michels highlighted the items on the yellow change sheet that was distributed to the State Board.

A motion was made by Mr. Coverdale to consent to amend regulation 14 Delaware Administrative Code 1506 Emergency Certificate as presented. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:	Nays:	Not Present At Time of Vote:
Dr. Gray	None.	Mr. Heffernan
Mr. Melendez		
Mr. Coverdale		
Mrs. Rutt		
Dr. Whittaker		
Dr. Wilson		

The Board signed the appropriate Order.

Charter Schools

Dan Cruce, Deputy Secretary of Education/Chief of Staff and John Carwell from the Charter School Office presented the Charter School items to the State Board.

Charter Performance Framework

Mr. Carwell noted that work on the performance framework is continuing and he reminded the Board of the grant received and the assistance being provided from the National Association of Charter School Authorizers (NACSA). He anticipates that the timelines set to finish the work will be met and noted that the framework will be based on national best practice. Also in development is a new charter school application process as well as a renewal application. The proposed completion goal of April 2012 should be met. He thanked Dr. Gray, Mrs. Rutt, Dr. Wilson and Ms. Johnson for working with the group in the planning and development of the framework. The framework will be based on documented academic, organization and financial performance based on measurable standards. Consultants funded through the NACSA grant are providing research on data elements based on national best practice.

Mr. Carwell announced the Charter School Annual Report has been completed and would be distributed soon. He then highlighted the three areas of the new framework; organizational, financial, and student performance.

There was discussion on modifications process. Mr. Carwell defined the difference between a minor modification and a major modification which is outlined in statute. Of the five received, four were major modifications and one was a minor modification. There are certain stipulations that determine which category a modification request falls into. Mr. Carwell provided the example of Sussex Academy of the Arts and Sciences and Newark Charter School which both requested to add grade levels to the schools. An impact analysis must be completed if the school wishes to add over 15% of their enrollment in any given year. Dr. Lowery commented that many charter schools add grade levels one year at a time and fall below the 15% increase and do not necessitate the impact analysis. Mr. Cruce commented that criteria are reviewed for modifications and the financial aspects of the request. There were questions from the Board on if the school's performance is reviewed as part of a modification request. Mr. Carwell replied that it is uncommon to receive a request for expansion from schools that have poor performance. Dr. Gray noted that it was important to understand that an impact analysis would only need to be completed if the expansion increased enrollment over 15%. Mr. Hindman clarified that the 15% increase cannot be within 18 months of the application.

Dr. Gray explained that she has asked Ms. Johnson to schedule a work session before the February State Board meeting with the Charter School Office to discuss the impact analysis piece that was part of the legislation that just came out this past summer and to discuss the specifics of the charter framework.

Progress on Conditions Placed on Pencader Business and Finance Charter High School (For Information)

The Board received its monthly report with updates on the progress the school is making to meet conditions placed on the charter. Pencader Business and Finance Charter High School was placed on probation at the July 21, 2011 State Board meeting.

**Progress on Conditions Placed on Reach Academy for Girls
(For Information)**

The Board received its monthly report with updates on the progress the school is making to meet conditions placed on the charter. Reach Academy for Girls was placed on probation at the July 21, 2011 State Board meeting.

**Charter Schools Update
(For Information)**

The Board received its monthly update on charter schools. Next month's report will include the additional information the Board requested. The information will be on the school that will be presenting.

**Update on Charter Applications, Renewals and Modifications
(For Information)**

Mr. Carwell explained that five of the new applications received were deemed complete. The applications will be forwarded to the Charter School Accountability Committee. The Board received information on the applications received including grade levels, proposed enrollment and location.

Charter renewal applications were received this year for Prestige Academy and Academy of Dover. The process is near complete with the final meetings and public hearings scheduled.

For the modifications, it was mentioned earlier that Sussex Academy of Arts and Science and the Newark Charter School have proposed expansion. Campus Community has proposed adding Kindergarten and phasing out the high school. Delaware Academy Public Safety and Security and Odyssey Charter have requested to modify their enrollment.

It was noted that renewals would be on the February agenda for action and the modifications and the new charter applications would be presented for action in April.

Appeals and Reviews

Catherine Hickey, Deputy Attorney General and State Board legal counsel, requested that the State Board enter into Executive Session to consider these students appeal matters and the students' pupil files.

A motion was made by Dr. Wilson for the State Board to go into Executive Session to consider the appeal which will include students' pupil files. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:	Nays:	Not Present At Time of Vote
Dr. Gray	None.	Mr. Heffernan
Mr. Melendez		
Mr. Coverdale		
Mrs. Rutt		
Dr. Whittaker		
Dr. Wilson		

The State Board went into Executive Session at 1:09 p.m. and returned to open session on a motion by Dr. Wilson at 1:31 p.m. The motion was seconded by Mrs. Rutt and carried unanimously.

Appeal of S.S. v. Campus Community School (2011-11)
(For Information)

The Board received notice that this appeal was received by the Executive Secretary on behalf of the State Board of Education who in accordance with prior authorization by the State Board appointed David Taylor on November 28, 2011 to act as the hearing officer. In accordance with the rules of the State Board of Education, the Executive Secretary remanded the case to the School because a transcript of the school proceedings could not be provided.

A.Z. v. Smyrna School District Board of Education (2011-12)
(For Information)

The Board received notice that this appeal was received by the Executive Secretary on behalf of the State Board of Education who in accordance with prior authorization by the State Board appointed Thomas Pledgie on December 12, 2011 to act as the hearing officer.

**C.S. v. Indian River School District Board of Education
(2011-13)
(For Action)**

This appeal was received by the Executive Secretary on behalf of the State Board of Education who in accordance with prior authorization by the State Board appointed David Taylor on December 12, 2011 to act as the hearing officer. Ms. Hickey asked that the State Board consider the parent's request to withdraw the appeal

A motion was made by Mrs. Rutt to approve the dismissal of this appeal. The motion was seconded by Dr. Whittaker and carried with the following voice vote recorded:

Ayes:	Nays:	Not Present At Time of Vote:
Dr. Gray	None.	Mr. Heffernan
Mr. Melendez		
Mr. Coverdale		
Mrs. Rutt		
Dr. Whittaker		
Dr. Wilson		

The Board signed the appropriate Order.

**A.D. v. Delaware Interscholastic Athletic Association (2011-10)
(For Action)**

The State Board was asked to consider of the proposed decision and order of the hearing officer in this appeal. This is a student appeal of a DIAA decision denying a request for a waiver. A motion was made by Dr. Whittaker that the State Board having read and considered the record of the proceedings below (including the hearing transcript), any submissions to the hearing officer, the Proposed Order and it appearing that the DIAA decision is fully supported by the record, free of error, and otherwise within the Board's powers, that the Proposed Order of the Hearing Officer be accepted and adopted as the Decision and Order of the State Board of Education.

The motion was seconded by Mr. Coverdale and carried with the following voice vote recorded:

Ayes:	Nays:	Not Present At Time of Vote:
Dr. Gray	None.	Mr. Heffernan
Mr. Melendez		
Mr. Coverdale		
Mrs. Rutt		
Dr. Whittaker		
Dr. Wilson		

The Board signed the appropriate Order.

Adjournment

There being no further business, a motion was made, seconded and carried unanimously to adjourn the meeting. The meeting adjourned at 1:33 p.m.

Respectfully submitted,

Lillian M. Lowery
Executive Secretary and
Secretary of Education/

Executive Session

A motion was made by Dr. Wilson for the State Board to go into Executive Session to consider the appeal which will include students' pupil files. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:	Nays:	Not Present At Time of Vote
Dr. Gray	None.	Mr. Heffernan
Mr. Melendez		
Mr. Coverdale		
Mrs. Rutt		
Dr. Whittaker		
Dr. Wilson		

The State Board went into Executive Session at 1:09 p.m.

The Board discussed the appeals with Catherine Hickey, Deputy Attorney General and legal counsel for the State Board. The Board returned to open session on a motion by Dr. Wilson at 1:31 p.m. The motion was seconded by Mrs. Rutt and carried unanimously.

Respectfully submitted,

Lillian M. Lowery
Executive Secretary and
Secretary of Education/